THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.28039 OF 1996
Date: 21st day of November,2006.

Between:
K.Someswar

Petitioner

And

The Mandal Revenue Officer,
Saroornagar Mandal,
R.R.Dist. and two others

Respondents

THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No.28039 OF 1996

ORDER:

1. This writ petition has been instituted seeking a declaration that the action of the respondents in restoring Quarter No.141 of Jillelaguda Urban Housing Colony in favour of Smt. B.Vijaya Laxmi as uncalled for interference with the right of the writ petitioner.

2. The Revenue Divisional Officer, who filed the counter affidavit in the matter and contested the case, has pointed out that the land in Survey No. 124 of Jillelaguda is classified as Government land of an extent of Ac.5-01 gunta and that during the year 1989, house site pattas of an extent of 60 square yards each were issued to the eligible landless poor persons and on those sites the District Manager, Housing, Ranga Reddy, has constructed houses in ground plus one floor under Weaker Section Housing Scheme so that the houses can be delivered in favour of the beneficiaries. After construction of these houses, this locality has now come to be called as Deen Dayal Nagar Colony. The counter affidavit asserts that the Quarter No. 141 has in fact been assigned originally in favour of Smt. B.Vijaya Laxmi and the writ petitioner had got into possession of the said quarter contrary to the assignment rules, which only permit heritable right in favour of the original assignee and do not confer any right to alienate or transfer the plot of land. Confronted with this situation, the learned counsel for the writ petitioner makes a fair statement that the writ petitioner cannot seek to agitate anything more with regard to the grievance entertained by him. However, the fact remains that the counter affidavit itself has recognized that most of the beneficiaries have either alienated or transferred the property in question in favour of third parties. But quite surprisingly the counter affidavit does not

proceed further and disclose as to the nature of subsequent action initiated in the form of restoration of the property in favour of the original allottee or reallotting the said property in favour of any other suitable and eligible beneficiary. The socio-economic beneficial schemes undertaken by the State and it's instrumentalities involved huge capital contribution on the part of the State. It is therefore only appropriate that the most eligible beneficiaries should get their due benefits from out of such schemes. Ineligible persons cannot get or derive advantage of such housing schemes. I therefore consider it appropriate to direct the District Collector, Ranga Reddy District, to personally bestow attention on this malady and take remedial measures not only with reference to Deen Dayal Nagar Colony but in future as well by deploying such measures like recording the 'Iris of the Pupils' of the beneficiaries or by adopting any other suitable bio-metric device to secure that the eligible beneficiaries in whose favour pattas by way of house sites or constructed houses are allotted do not fall into the hands of ineligible third parties at all. Such measures shall alone will go a long way in ensuring that the poverty eradication and other socio-economic measures undertaken by the State do percolate and get retained for alleviation of the distress of whom those schemes are intended to subserve.

3. With these observations, the writ petition is dismissed but however without costs.

_____

NOOTY RAMAMOHANA RAO,J

Note:
Registry to mark a copy of the judgment to
the District Collector and Magistrate, Ranga Reddy,
Lak-di-kaa pool, Hyderabad.

B/o.
Stp
21-11-2006